

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:	)	
DONISHA MONIQUE KENNARD	)	CHAPTER 13
SSN: XXX-XX-7282	)	CASE NO. 15-02213
1509 SANTA ROSA COURT	)	JUDGE: HARRISON
MADISON, TN 37115	)	
	)	
Debtor	)	

**EXPEDITED MOTION TO UTILIZE INSURANCE PROCEEDS TO PURCHASE SUBSTITUTE  
COLLATERAL AND TO REQUIRE LIENHOLDER TO RELEASE LIEN ON TITLE OF  
DESTROYED VEHICLE TO ALLOW DISPOSITION OF SALVAGE**

COMES the Debtor, through counsel, Rothschild & Ausbrooks, PLLC, pursuant to Local Rule 9075-1, and respectfully moves the Court as follows:

1. Expedited relief requested: Debtor moves the Court for an order authorizing her to use insurance proceeds issued as a result of an automobile accident by Progressive in order to purchase substitute collateral of substantially similar value. Debtor further moves the Court to require the lienholder on the destroyed 2013 Chevrolet Impala, Insolve Auto Funding c/o Capital Recovery Group, LLC, to release its lien on the title and to remit same to Progressive in order to allow disposition of the salvage value in the destroyed vehicle. Debtor proposes to use the entire insurance proceeds check in the amount of \$9,752.00 to purchase a substitute vehicle and pay the cost of recording the lien of Insolve Auto Funding c/o Capital Recovery Group, LLC on the substitute vehicle. Debtor would condition the purchase of the substitute vehicle on acquiring and maintaining physical damage insurance on the substitute vehicle at all times, and purchasing a vehicle of substantially similar value to the one that was destroyed. The Debtor further moves that Insolve Auto Funding c/o Capital Recovery Group, LLC be required to release its lien on the title to the destroyed 2013 Chevrolet Impala, and remit same to Progressive in order to allow Progressive to dispose of the salvage value of the vehicle.

2. Reason for Urgency: Debtor moves that this matter be heard on an expedited basis due to the fact that the Debtor needs a vehicle to commute to work and needs to replace it as quickly as possible

in order to continue funding her Chapter 13 Plan and avoid expenses for a rental vehicle.

3. Notice: Debtor's counsel would give the United States Trustee and Chapter 13 Trustee notice via electronic service through the ECF system; to Insolve Auto Funding c/o Capital Recovery Group, LLC, via email, [bknotices@crgofusa.com](mailto:bknotices@crgofusa.com) and Progressive Insurance, Attn: Shawna Baumgardner, Claims Generalist Intermediate, via email, [Shawna\\_Baumgardner@progressive.com](mailto:Shawna_Baumgardner@progressive.com).

4. Suggested Hearing Dates and Response Time: The Debtor proposes that the expedited motion be set for hearing on Wednesday, December 2, 2015, at 8:30 a.m. in Courtroom 1, Customs House, 701 Broadway, Nashville, TN 37203.

WHEREFORE, the Debtor requests that the Court grant this motion and approve the Debtor's request as set forth above.

Respectfully submitted,

/s/ **Mary Beth Ausbrooks**

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